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RUEHPE/AMEMBASSY LIMA PRIORITY 9792
RUEHLI/AMEMBASSY LISBON PRIORITY 1284
RUEHLO/AMEMBASSY LONDON PRIORITY 0404
RUEHMD/AMEMBASSY MADRID PRIORITY 3017
RUEHME/AMEMBASSY MEXICO PRIORITY 3535
RUEHOT/AMEMBASSY OTTAWA PRIORITY 0535
RUEHFR/AMEMBASSY PARIS PRIORITY 0308
RUEHQD/AMEMBASSY QUITO PRIORITY 1662
RUEHRO/AMEMBASSY ROME PRIORITY 0540
RUEHTC/AMEMBASSY THE HAGUE PRIORITY 0777
RUEHROV/AMEMBASSY VATICAN PRIORITY
RUEHGV/USMISSION GENEVA PRIORITY 0636
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C O N F I D E N T I A L SECTION 01 OF 03 CARACAS 000226

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DOL FOR ILAB

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SUBJECT: ILO VISITS VENEZUELA, ORIT LEAVES

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Classified By: Robert Downes, Political Counselor,
for Reason 1.4(b).

Summary

¶11. (C) The International Labor Organization (ILO) Direct Contact Mission visiting Venezuela told Poloff January 25 the Venezuelan government had promised, once again, to make necessary changes to laws governing unions to comply with ILO Agreement 87 on the Freedom of Association. Venezuelan Workers Confederation (CTV) officials were pleased with the seriousness with which the ILO was treating the mission, but did not express much optimism that the visit would result in improved conditions for labor unions in Venezuela. After the CTV lost its seat on the ILO's Governing Body last year, the CTV feels somewhat abandoned by its international allies. However, CTV Secgen Manuel Cova revealed to Embassy that an ILO official on January 1 secretly visited CTV President Carlos Ortega, currently in prison pending appeal after being sentenced in December for leading the 2002-03 national strike. Another blow to CTV morale is the departure of the Inter-American Regional Workers Organization (ORIT), the regional affiliate of the International Confederation of Free Trade Unions (ICFTU), whose new director has been distancing himself from the CTV. With the government intent on strangling the CTV to death, the labor confederation could use more help from international labor, and more visibility for the Ortega case. End summary.

ILO Contact Mission in Caracas

¶2. (C) The International Labor Organization (ILO) sent a Direct Contact Mission to Venezuela the week of January 23 to follow up on union complaints that the government continued to restrict unions from holding internal elections, which in turn was preventing hundreds of unions from entering into contract negotiations (ref). The mission was headed by ILO Director of Norms Cleopatra Deownbia-Henry and ILO Regional Representative (Lima) Daniel Martinez. During a chance meeting on January 25 between Martinez and Poloff (and visiting DRL officer), Martinez described his reception by government officials as courteous. Martinez said that National Electoral Council (CNE) officials said that unions may hold elections as they like and may voluntarily seek technical assistance from the CNE, a position it has maintained for several years but conflicts with the 1999 Bolivarian Constitution, which mandates CNE oversight of internal union elections. Martinez told National Assembly leaders the law should be reformed to make the point clear that unions cannot be prevented by the government from holding elections, which Martinez said they promised to do this year. Martinez pointed out that the government had made similar promises during two previous Direct Contact Missions.

"It's the same thing they've been saying to us for seven years," Martinez added. (Note: The unions are caught in a Catch 22 because the CNE either has not green-lighted elections or not certified their results for some 600 unions, and the Ministry of Labor refuses to permit these unions from negotiating collective bargaining agreements without CNE certification. This puts pressure on workers to abandon the CTV-backed union and form a parallel union associated with the pro-Chavez labor confederation, which is readily recognized by the government.)

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CTV Not Expecting Much From ILO

¶3. (C) Venezuelan Workers Confederation (CTV) Secretary General Manuel Cova told Poloff and DRL officer January 25 he was pleased that the ILO mission had come. He said described the mission as technical in nature, though led by a sufficiently senior ILO official. Cova said he viewed the mission as "very disposed to help," but probably not able to force a change in the government's behavior, listing a host of political problems beyond union elections. For example, he said, President Hugo Chavez still does not include organized labor in crucial economic decisions that affect workers, like adjusting minimum wage. CTV Executive Secretary Froilan Barrios explained this point January 24 to

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poloffs, noting that Chavez hands out raises selectively, such as to doctors working in the public sector, which wastes the opportunity of collective bargaining.

ILO Visited Carlos Ortega In Prison

¶4. (C) Cova confided that an ILO official named Jim Baker visited jailed CTV President Carlos Ortega on January 1. Ortega was sentenced to nearly 16 years in prison in December related to his participation in the December 2002 - February 2003 national strike. The ILO had issued an opinion previously that the politically-motivated work stoppage was like a national strike and recommended the government drop all charges against the strike organizers. Cova lamented the ILO had not come out publicly to support Ortega after the sentencing, but he appreciated the secretive visit nonetheless. Cova said international sympathy for Ortega had been slow in coming because "he's a political prisoner of Chavez," who enjoys popularity among left-leaning labor. For example, the International Confederation of Free Trade Unions

(ICFTU) has so far refused to issue a statement in support of Ortega, Cova said. (Note: Neither did any labor leaders visiting the World Social Forum in Caracas January 24-29 make any attempt to visit Ortega or mention him during the labor workshop held during the Forum.) Cova added, however, that pro-opposition critics who had disapproved of Ortega's flight from Venezuela and subsequent clandestine return had largely ceased their attacks and had begun supporting Ortega's cause.

Cova said an appeal to the sentence is pending. Cova said Ortega's imprisonment makes it difficult for the CTV to move ahead with elections as it gives the impression of abandoning Ortega. Cova and others have been musing about publicly challenging the government because they, too, participated in the strike in the same way as Ortega and should be similarly prosecuted.

CTV Losing Steam

¶ 15. (C) Several CTV leaders have told us their organization is suffering from its waning prestige. Once an active participant in international organized labor, the CTV's years of struggle against Chavez have caused other labor groups to back away. A telltale sign, several mentioned, was the CTV's loss of a seat on the ILO's Governing Body (GB). The given reason for the loss was that the ongoing merger between two major international labor confederations, the ICFTU (to which CTV belongs) and the World Labor Confederation (CMT) made necessary an adjustment in the quota of seats on the GB. CTV leaders, however, believe the CTV's declining state in recent years, has made it damaged goods for international labor

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groups. Several CTV leaders felt the loss of the seat made it difficult to keep Venezuela on the ILO radar screen.

(Note: Antonio Suarez, the head of the CTV's public sector worker federation, offered us a different explanation January 23 in which Cova had reached a truce with Chavez to tone down the international attacks -- including stepping down from the GB -- in exchange for the government freeing up some CTV funds tied up in a failed workers' bank. Suarez said Chavez promptly reneged on the deal once the CTV had pulled out of the GB. We have not heard this questionable account from other CTV leaders.)

¶ 16. (C) Internally, the organization is also spent. Barrios told Poloff the labor confederation is "ruined" and badly in need of reform. Barrios explained that the CTV operates with the same structure as when it was an unofficial appendage of the AD party. The CTV is too costly, he said, and needs to be streamlined. While the CTV is still making plans for internal elections, most leaders see them as a bad idea, principally because of worker fears of blacklisting by the government. Barrios and others have therefore proposed a congress of delegates to develop an action plan for re-organizing the CTV.

ORIT Takes Flight To Brazil

¶ 17. (C) Meanwhile, the Inter-American Regional Organization of Labor (ORIT), the regional affiliate of ICFTU, will complete the transfer of its headquarters from Caracas (in the CTV building) to Sao Paulo by February 28. Cova said they were not in agreement with the move, as it implies the loss of another important labor ally. Labor analyst Rolando Diaz told us January 26 the move indeed has to do with ORIT's disenchantment with the CTV. After the death of popular ORIT Secretary General Louis Anderson, a staunch supporter of the

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CTV and critic of Chavez, ORIT members elected Victor Baez, a Paraguayan with close ties with the CLC, a radical Canadian labor confederation and harsh critic of the USG. Baez is

thought to have strong anti-U.S. and anti-AFL/CIO sentiments, and has wanted to distance ORIT from the CTV since taking office in 2004. (Note: We can attest to Baez' behavior as he has refused consistently to meet with Emboffs. He and his subordinates also refused a meeting with the visiting DRL labor officer.)

Comment

18. (C) The Bolivarian Republic continues to sweep away the vestiges of the previous regime like the CTV. The longer the CTV stays in limbo between the CNE, Ministry of Labor, and National Assembly, the weaker it gets. That, to us, means the Venezuelan government will continue its doublespeak and stalling at the ILO. The Ortega case, while not the perfect hook, is compelling evidence of the Chavez administration's disrespect for rule of law. It would be useful for the ILO to express concern publicly over Ortega's sentence. While there's not much we can do to make labor groups take this on, we should nevertheless look for ways to get some international attention on Ortega's imprisonment.

BROWNFIELD